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RECEIVED SEP 27 2007 CHAMBERS OF COLLEEN McMAHON
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MEMO ENDORSED

September 27, 2007

Via Facsimile

Honorable Colleen McMahon

United States District Court

300 Quarropas Street

White Plains, New York 10601

9/29/07  
Request granted  
CW

Re: Shaw Family Archives, Ltd. et al. v. CMG Worldwide, Inc. et al.,  
Index. No. 05 CV 3939

Dear Judge McMahon:

I represent the Plaintiffs in the above-entitled matter. I write to respectfully request an additional three week extension to respond to Defendants' motion to dismiss the Second Amended Complaint. Defendant MMLJC has consented to this request. I have not been able to reach counsel for CMG. If the Court grants this request, Plaintiffs' opposition will be due on October 23, 2007. As set forth below, the reason for this request is that Plaintiffs intend to amend their Second Amended Complaint in a manner that will clarify the issues that remain for trial and we would also like the additional time to discuss settlement with Defendants' new counsel prior to engaging in additional and expensive briefing practice.

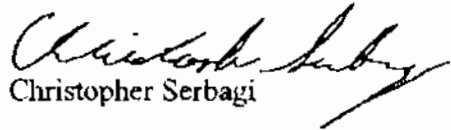
Defendants filed their motion to dismiss Plaintiffs' Second Amended Complaint on September 4, 2007. By letter dated September 13, 2007, Plaintiffs requested an extension of time to respond to Defendants' motion to dismiss until October 2, 2007. On September 17, 2007, the Court granted the Plaintiffs' request. The reason Plaintiffs would like an additional extension is because Plaintiffs have requested that Judge Fox extend the time for Plaintiffs to amend their Second Amended Complaint, both to drop certain causes of action, add one cause of action, and to clarify the existing causes of action. It would make no sense for the Plaintiffs to draft a detailed opposition to Defendants' motion to dismiss if Judge Fox permits the amendment we have requested. We believe this amendment will save judicial time and resources during the briefing process on Defendants' motion to dismiss, which is currently pending.

The extension would also provide the parties time to discuss these issues and other pending issues with Defendants' new counsel. One of the issues Plaintiffs would like to discuss is whether this case can be resolved on amicable terms, now that the primary issues have been resolved. Plaintiffs have already expressed a desire to settle with former counsel for the Defendants, but they were unsuccessful in convincing their clients to settle on reasonable terms.

CHRISTOPHER SERRAGI, ESQ.

I am hopeful that Defendants' new counsel will have better success in convincing their clients to cease this vexatious litigation and to reach amicable settlement terms. The additional time we have requested to postpone the briefing process will allow the parties breathing room to explore that possibility.

Respectfully Submitted,

  
Christopher Serbagi

cc: Orin Snyder, Esq. (via facsimile)  
Paula K. Colbath, Esq. (via facsimile)  
Ted J. Minch (via facsimile)

LAW OFFICES OF CHRISTOPHER SERBAGI

FACSIMILE TRANSMITTAL SHEET

TO	FROM
Hon. Colleen McMahon United States District Judge	Christopher Serbagi, Esq.
COMPANY:	DATE:
	September 27, 2007
FAX NUMBER	TOTAL NO. OF PAGES INCLUDING COVER
212-805-6326	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER
Letter attached	

☐ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

NOTES/COMMENTS: